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5	Attorney(s) for Digital Verification Syst	tems	, LLC	
6				
7	IN THE UNITED STATES DISTRICT COURT			
8	FOR THE NORTHERN DISTRICT OF CALIFORNIA			
9	DIGITAL VERIFICATION	§		
10	SYSTEMS, LLC,	§ 8	Case No. 3:22-cv-02645	
11	Plaintiff,	<i>ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ ଊ</i>	PATENT CASE	
12	vs.	§ 8	JURY TRIAL DEMANDED	
13	<b>V</b> 5.	8 §	JUNI IMAL DEMANDED	
14	YOTI, INC.	§	COMPLAINT	
15	Defendant.	8 §	COMILAINI	
16		_§		
17	D1 : 4:00 D: '4 1 M : 0' 4'			
18	Plaintiff Digital Verification Systems, LLC ("Plaintiff" and/or "DVS") files			
19	this Complaint against Yoti, Inc. ("Defendant" and/or "YOTI") for infringement of			
20	United States Patent No. 9,054,860 (hereinafter "the '860 Patent").			
21	PARTIES AND JURISDICTION			
22	1. This is an action for patent infringement under Title 35 of the United			
23	States Code. Plaintiff is seeking injunctive relief as well as damages.			
24	2. Jurisdiction is proper in this Court pursuant to 28 U.S.C. §§ 1331			
25	(Federal Question) and 1338(a) (Patents) because this is a civil action for patent			
26	infringement arising under the United States patent statutes.			
27	3. Plaintiff is a Texas limited liability company located at 1 East Broward			
28	Boulevard, Suite 700, Fort Lauderdale, FL 33301.			

- 4. On information and belief, Defendant is a California corporation with its principal office located at 345 Grove Street, Suite 2000, San Francisco, CA, 94102.

  On information and belief, Defendant may be served at its principal office.

  5. On information and belief, this Court has personal jurisdiction over
  - 5. On information and belief, this Court has personal jurisdiction over Defendant because Defendant has committed, and continues to commit, acts of infringement in this District, has conducted business in this District, and/or has engaged in continuous and systematic activities in this District.
  - 6. On information and belief, Defendant's instrumentalities that are alleged herein to infringe were and continue to be used, imported, offered for sale, and/or sold in this District.

## **VENUE**

7. On information and belief, the venue is proper in this District under 28 U.S.C. § 1400(b) because Defendant is deemed to reside in this District. Alternatively, acts of infringement are occurring in this District, and Defendant has a regular and established place of business in this District.

## **COUNT I**

## (INFRINGEMENT OF UNITED STATES PATENT NO. 9,054,860)

- 8. Plaintiff incorporates paragraphs 1 through 7 herein by reference.
- 9. This cause of action arises under the patent laws of the United States and, in particular, under 35 U.S.C. §§ 271, et seq.
- 10. Plaintiff is the owner by assignment of the '860 Patent with sole rights to enforce the '860 Patent and sue infringers.
- 11. A copy of the '860 Patent, titled "Digital Verified Identification System and Method," is attached hereto as Exhibit A.
- 12. The '860 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

- Upon information and belief, Defendant has infringed and continues to 13. infringe one or more claims, including at least Claim 1, of the '860 Patent by making, 2 using (at least by having its employees, or someone under Defendant's control, test 3 the accused Product), importing, selling, and/or offering for sale associated hardware 4 and/or software for digital signature services (e.g., Yoti eSignatures), and any similar 5 products and/or services ("Product") covered by at least Claim 1 of the '860 Patent. Defendant has infringed and continues to infringe the '860 patent either directly or through acts of contributory infringement or inducement in violation of 35 U.S.C. § 271. The Product provides a system for e-signing digital documents. The 14. 10 Product provides for digitally verifying the identification of a signer. Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in 12
  - The person behind the pen is just as important as the signature

Whilst building a world-leading digital identity platform, something occurred to us. What if you could sign a document with your identity?

That's why we built Yoti eSignatures. A satisfyingly simple tool that helps you achieve great things. Signatures at lightning speed, ID verification and the most sophisticated eWitnessing around.

Source: https://www.yoti.com/business/esignatures/

connection with other allegations herein.

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Yoti eSignatures offers the convenience and simplicity of e-signing platforms, but with the added security of biometric verification and cryptographic signatures.

Choose your level of authentication, from one-click email to full biometric authentication at no extra cost.

Source: https://support.yoti.com/hc/en-us/articles/360003897014-What-is-Yoti-eSignatures-

With a traditional signature, a person signs their name in ink on a paper document to indicate their agreement with its contents. An electronic signature (sometimes referred to as an 'e-signature') is the equivalent process used with a digital document (such as PDF file). A person can add a symbol or piece of data to a digital document, and this indicates their agreement with its contents.

Source: https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature-

Speed up your signing process by using Yoti Sign to send your documents. Yoti Sign is perfect for all businesses that require document management and signing solutions. Yoti Sign offers the convenience and simplicity of e-signing platforms, but with the added security of biometric verification and cryptographic signatures. Choose your level of authentication, from one click email to full biometric authentication at no extra cost.

Source: <a href="https://yoti.world/yoti-sign-demo/">https://yoti.world/yoti-sign-demo/</a>

15. The Product includes at least one digital identification module structured to be associated with at least one entity. For example, the Product provides a module (e.g., the creation of an e-signature module for a user) to be associated with at least one entity (i.e., a user who needs to create an e-signature). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

Yoti Sign is the convenient and simple solution to your e-signing needs. It's as simple as uploading your documents and choosing who needs to sign them. You then choose where on the document you want someone to sign it and then it's ready to review and send. Whether you need a one-click email authentication or full biometric authentication, there's no extra cost.

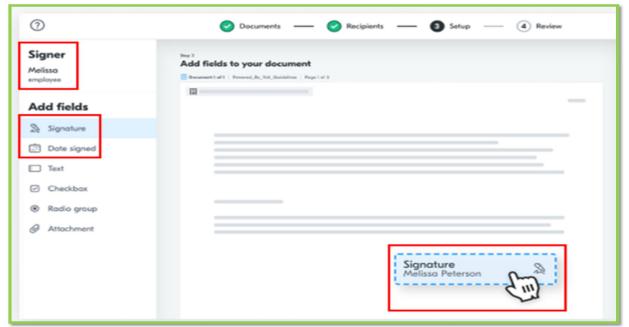
We make it easy for your clients too. Yoti sign documents can be accessed and signed through multiple devices, and through all popular browsers and operating systems. That way, signees can access your documents anywhere, at any time.

Source: https://www.yoti.com/blog/yoti-sign-the-fast-and-simple-e-signature-platform/

## Get documents signed without the hassle

Upload your documents, add your fields and hit send. Recipients receive an email and can add their legally-binding eSignature in a matter of clicks. For those that need a slight nudge, automated reminders do the chasing so you can get on with your work.

Source: https://www.yoti.com/business/esignatures/



Source: https://www.yoti.com/business/esignatures/

16. The Product includes a module generating assembly structured to receive at least one verification data element corresponding to at least one entity and create said at least one digital identification module. For example, the Product includes a module generating assembly structured to receive at least one verification data element corresponding to at least one entity (e.g., a user has a unique login ID and password for accessing and verifying the account for e-signing the documents). The module generating assembly is also structured to create at least one digital identification module (e.g., creating an e-signature of a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

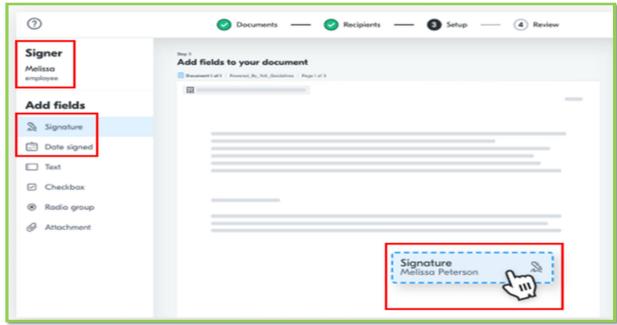
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We make it easy for your clients too. Yoti sign documents can be accessed and signed through multiple devices, and through all popular browsers and operating systems. That way, signees can access your documents anywhere, at any time.

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Source: https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature-



Source: https://www.yoti.com/business/esignatures/

17. At least one digital identification module is disposable within at least one electronic file. (e.g., a user can store the e-signature within a document such as a "Bill of Landing" or in a PDF, Word doc, image file, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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With a traditional signature, a person signs their name in ink on a paper document to indicate their agreement with its contents. An electronic signature (sometimes referred to as an 'e-signature') is the equivalent process used with a digital document (such as PDF file). A person can add a symbol or piece of data to a digital document, and this indicates their agreement with its contents.

Source: https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature-

18. At least one digital identification module includes at least one primary component structured to associate the digital identification module at least partially with at least one entity. For example, an e-signature of a user is associated with user information including username, date, etc. to associate the digital identification module at least partially with at least one entity (e.g., an e-signature is associated with a user). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.

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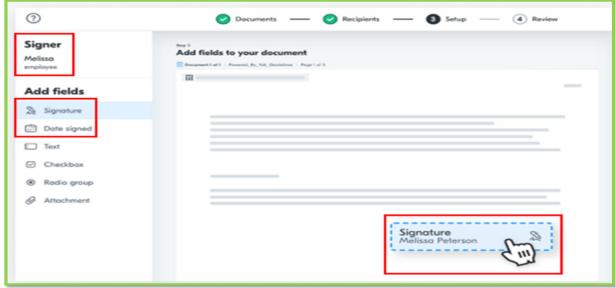
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Source: https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature-

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Source: https://www.yoti.com/business/esignatures/

19. At least one digital identification module is cooperatively structured to be embedded within only a single electronic file. For example, the module (e-signature) is stored within a single file (such as a PDF, Word doc, image file, etc.). Certain aspects of this element are illustrated in the screenshot(s) below and/or in those provided in connection with other allegations herein.



Source: https://www.yotisign.com/

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Source: https://yoti.world/yoti-sign-demo/

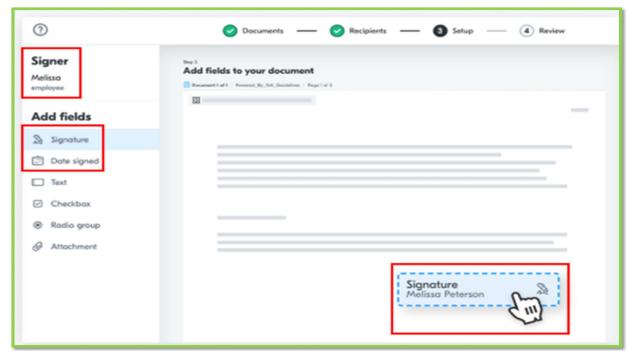
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Source: https://support.yoti.com/hc/en-us/articles/360005918193-What-is-an-electronic-signature-



Source: https://www.yoti.com/business/esignatures/

20. Defendant's actions complained of herein will continue unless				
Defendant is enjoined by this court.				
21. Defendant's actions complained of herein are causing irreparable harm				
and monetary damage to Plaintiff and will continue to do so unless and until				
Defendant is enjoined and restrained by this Court.				
22. Plaintiff is in compliance with 35 U.S.C. § 287.				
JURY DEMAND				
23. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff				
respectfully requests a trial by jury on all issues so triable.				
PRAYER FOR RELIEF				
WHEREFORE, Plaintiff asks the Court to:				
(a) Enter judgment for Plaintiff on this Complaint on all causes of action				
asserted herein;				
(b) Enter an Order enjoining Defendant, its agents, officers, servants,				
employees, attorneys, and all persons in active concert or participation with Defendant				
who receive notice of the order from further infringement of United States Patent No.				
9,054,860 (or, in the alternative, awarding Plaintiff a running royalty from the time of				
judgment going forward);				
(c) Award Plaintiff damages resulting from Defendant's infringement in				
accordance with 35 U.S.C. § 284;				
(d) Award Plaintiff pre-judgment and post-judgment interest and costs; and				
(e) Award Plaintiff such further relief to which the Court finds Plaintiff				
entitled under law or equity.				
Dated: May 1, 2022 Respectfully submitted,				
/s/ Stephen M. Lobbin Attorney(s) for Plaintiff				